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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/669,787	09/24/2003	John E. Jones	247171-000381USPT	6413
41230 7590 10/15/2009 CUMMINS-ALLISON CORP. C/O NIXON PEABODY LLP 300 S. Riverside Plaza 16th Floor CHICAGO, IL 60606				
EXAMINER				
VEZERIS, JAMES A				
ART UNIT		PAPER NUMBER		
3693				
MAIL DATE		DELIVERY MODE		
10/15/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/669,787

Applicant(s)

JONES ET AL.

Examiner

JAMES A. VEZERIS

Art Unit

3693

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 and 61-63 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-42 and 61-63 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/5508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Final Action

1. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Pre-Exam Formalities

2. Applicant's election without traverse of Invention I, claims 1-42 and 61-63 in the reply filed on 7/9/2009 is acknowledged.
3. Claim 26 has been amended.
4. Claim 67 has been cancelled.
5. Claims 1-42 and 61-63 are currently pending.

Response to Applicant's Arguments

6. Applicant's arguments filed 2/19/2009 have been fully considered but they are not persuasive. Applicant argues that neither Musmanno nor the Applicant's admitted

prior art teaches automatically generating a government report. Examiner disagrees and has clarified the rejection in the 103(a) rejection below. Examiner notes that Musmanno teaches automatic generation of a report when a prescribed value is reached.

Applicant's admitted prior art in the Related Arts section of the Specification teaches that generation of a government report is well known in the art.

7. Applicant's arguments filed 2/19/2009 have been fully considered but they are not persuasive. Applicant argues that the Examiner is relying on hindsight in using the Applicant's specification to create a 103(a) rejection. Examiner disagrees as the applicant's specification states "law typically specify the type of information to be included in such reports" and then goes on to list 'typical' types of information. That applicant's invention aims to automate the method of reporting this information does not make the information inapplicable as prior art.

Claim Rejections- 35 U.S.C. 103(a)

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-42 and 61-63 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6363164 to Jones et al. (Hereinafter "Jones") in view of US Patent 4774663 to Musmanno et al. (Hereinafter "Musmanno") in further view of

Applicant's Admitted Prior Art, found in the specification titles "Description of the Related Art". (Hereinafter "Related Art").

Regarding Claim 1.

Jones teaches accepting deposits of currency bills into a document processing device for crediting to a specified account, comprising:

receiving a plurality of documents associated with a deposit being made at a financial institution into an input receptacle of the document processing device, wherein the plurality of documents include a plurality of currency bills, each of the currency bills having an associated-serial number; (See Column 7 Lines 4-21, Column 6 Lines 1-9)

scanning the plurality of currency bills to produce an electronic image for each of the plurality of currency bills; (Column 6 Lines 1-9)

extracting the associated serial number from one or more of the plurality of electronic images; (Column 6 Lines 1-9)

denominating each of the plurality of currency bills; (Column 44 Lines 28-42)

accumulating the total value of the plurality of currency bills included in the deposit; (See Column 34 Lines 30-43)

Jones fails to further teach:

in the document processing device, automatically generating a government-required report whenever the accumulated total value exceeds a prescribed value, the automatically generated government-required report comprising one or more of the electronic images, an identification of the specified account at the financial institution to

which the deposit is being made, the accumulated total value of the deposit, and the serial numbers associated with the one or more electronic images of the currency bills included in the deposit.

Musmanno teaches automatically generating a report whenever the accumulated total value exceeds a prescribed value. (See Columns 4-5 Lines 54-5)

Applicant's Related Art teaches a government required report and the automatically generated government-required report comprising one or more of the electronic images, an identification of the specified account at the financial institution to which the deposit is being made, the accumulated total value of the deposit, and the serial numbers associated with the one or more electronic images of the currency bills included in the deposit. (See Related Art) Examiner notes that the serial numbers in the rejection will be pulled from the image created in Jones.

It would have been obvious to one of ordinary skill in the art to include automatically generating a government-required report comprising electronic images etc. as taught by the Applicant's admitted prior art and Musmanno in Jones since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Regarding Claim 2.

Jones further teaches:

counting a number of currency bills of each denomination included in the deposit;
(See Column 34 Lines 30-43)

wherein automatically generating the government-required report includes
automatically generating the government-required report to further comprise the number
of currency bills of each denomination included in the deposit. (See Column 34 Lines
30-43)

Regarding Claim 3.

Jones fails to further teach automatically generating the government-required
report further comprises automatically generating the government-required report to
include an identification of a location of the document processing device into which the
deposit was made, and an identification of a teller or customer responsible for the
deposit.

Applicant's admitted prior art teaches automatically generating the government-
required report further comprises automatically generating the government-required
report to include an identification of a location of the document processing device into
which the deposit was made, and an identification of a teller or customer responsible for
the deposit. (See Related Art) Examiner notes that the automatic generation is taught in
claim 1 by Musmanno.

It would have been obvious to one of ordinary skill in the art to include an
identification of a location of the document processing device into which the deposit was
made, and an identification of a teller or customer responsible for the deposit as taught
by Applicant's Admitted Prior Art in Jones since the claimed invention is merely a

combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Regarding Claim 4.

Jones further teaches the scanning further comprises scanning a complete image on at least one side of each of the plurality of currency bills so as to produce the electronic images, and (Summary of the Invention)

Jones fails to further teach automatically generating the government-required report includes automatically generating the government-required report such that the electronic images are complete images of the currency bills included in the deposit.

Applicant's admitted prior art teaches automatically generating the government-required report includes automatically generating the government-required report such that the electronic images are complete images of the currency bills included in the deposit. (See Related Art) Examiner notes that the automatic generation is taught in claim 1 by Musmanno.

It would have been obvious to one of ordinary skill in the art to include the electronic images as complete images of the currency bills included in the deposit, as taught by Applicant's Admitted Prior Art in Jones since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Regarding Claim 5.

Jones further teaches the plurality of documents include at least one deposit slip, and wherein the scanning further includes scanning the at least one deposit slip to produce electronic data. (See Column 27)

Regarding Claim 6.

Jones further teaches:

reading the identification of the specified account at the financial institution from a card supplied by a depositor; and (Column 12 Lines 27-39)

storing the specified account identification with the electronic images. (See Column 10 Lines 38-58)

Regarding Claim 7.

Jones fails to further teach the prescribed value is \$10,000.

Applicant's admitted prior art teaches the prescribed value is \$10,000. Examiner notes that since the report is government required, it would be known that it has to be supplied at the prescribed value of \$10,000.

It would have been obvious to one of ordinary skill in the art to include the prescribed value is \$10,000 as taught by Applicant's admitted prior art in Jones since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Regarding Claim 8.

Jones further teaches storing the electronic images of the plurality of currency

bills such that the electronic images may be retrieved and displayed for review at a time subsequent to completion of the deposit. (See Abstract, Fig. 1)

Regarding Claim 9.

Jones further teaches:

detecting a suspect counterfeit currency bill included in the deposit; (Figure 28)

generating a signal indicating the detection of the suspect counterfeit bill;

and(Figure 28)

retaining electronic data representing the detected suspect counterfeit bill in association with the identification of the specified account at the financial institution.
(Column 76)

Regarding Claim 10.

Jones further teaches denominating the plurality of currency bills at a rate in excess of 800 currency bills per minute. (Column 14 Line 64)

Regarding Claim 11.

Jones further teaches denominating the plurality of currency bills at a rate in excess of 1,000 currency bills per minute. (Column 14 Line 67)

Regarding Claim 61.

Jones further teaches the electronic images represent at least a partial video image of each currency bill. (Column 6 Lines 1-9)

Regarding Claim 62.

Jones further teaches the electronic images represent at least a partial video image of each currency bill. (Column 6 Lines 1-9)

Regarding Claim 63.

Jones further teaches the electronic images represent at least a partial video image of each currency bill. (Column 6 Lines 1-9)

Regarding Claims 12-43 and 62-63.

Claims 12-43 and 62-63 are rejected using analogous reasoning given to claims 1-11 and 61.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES A. VEZERIS whose telephone number is (571)270-1580. The examiner can normally be reached on Monday-alt. Fridays 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on 571-272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James A. Kramer/
Supervisory Patent Examiner, Art Unit 3693

/JAMES A VEZERIS/
Examiner, Art Unit 3693

10/7/2009